BEFORE THE
UNITED STATES TRADE REPRESENTATIVE

PUBLIC VERSION

IN THE MATTER OF:	)	
CERTAIN STEEL PRODUCTS	)	Investigation No. TA-201-73

REQUEST TO EXEMPT CERTAIN CARBON AND ALLOY PRODUCTS
FROM IMPORT RELIEF UNDER SECTION 203
SUBMITTED ON BEHALF OF
USINOR, ARBED, AND ACERALIA

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I. INTRODUCTION

Section 201 establishes that the remedy ultimately adopted by the President not be more protectionist than necessary to remedy the serious injury sustained by the domestic industry.[1] To this end, the President must consider the short- and long-term social benefits of any remedies on the U.S. economy[2] and refrain from implementing remedies that bestow greater social and economic harms on consumers than benefits on producers.[3] Thus, the Trade Policy Staff Committee ("Committee") should scrupulously avoid recommending remedies that undermine the fundamental purpose of Section 201 and cause more economic harm than good to the United States' economy. The proposed remedies should not extend protection to sectors of the domestic industry that are not adversely affected by imports. Rather, any proposed remedies should be tailored to ensure that they fit within the remedial constraints imposed by the statute.

The United States International Trade Commission ("Commission") has determined that increased imports of carbon and alloy flat products have contributed to the serious injury sustained by the domestic industry. This category includes a vast array of products representing the spectrum of qualities, grades, chemistries, sizes, and other features that are reflected in various industry specifications and are subject to specific end-uses. There is a marked lack of substitute products and end-use interchangeability among these various products. The blanket imposition of remedies on all carbon and alloy flat products, therefore, would be over-inclusive, neither effectively addressing the domestic industry's current injury, nor facilitating a positive adjustment to import competition. Moreover, such excessive remedies would impose

[1] See 19 U.S.C. § 2252(e)(1) ("the Commission shall… recommend the action that would address the serious injury, or threat thereof, to the domestic industry…")

[2] See 19 U.S.C. § 2253(a)(2)(E).

significantly greater burdens on the steel consuming industry than benefits on the steel producing industry. As the record unquestionably demonstrates, U.S. domestic steel producers can provide only about 80 percent of domestic steel demand. There are certain products that are either not produced in the United States or are primarily produced for captive consumption and, therefore, unavailable to domestic downstream processors. Accordingly, there are numerous domestic companies, such as automotive makers, that are wholly dependent upon imported steel products that are not otherwise available in the United States. Restricting or eliminating these products from the U.S. market would likely force many of these companies to either exit the U.S. steel market or move its production offshore. As Senator Chuck Hagel testified at the Commission's November 9th remedy hearing, there are "more than 50 times as many workers … employed in steel-consuming industries as in the steel industry itself."[4] Clearly, any remedy that would cause injury on such a substantial number of companies and threaten such a large amount of U.S. jobs cannot confer "greater social and economic benefits than costs."[5] The Committee, therefore, should exempt certain products from its remedy recommendation.

II. Carbon and Alloy Product Exemption Requests

A. Hot-Rolled Products

1. Hot-Rolled Floor Plate in Widths Greater than 60 Inches

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

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[3] See 19 U.S.C. § 2253(a)(1)(A).

[4] Testimony of Senator Chuck Hagel, USITC Remedy Hearing, November 6, 2001.

[5] 19 U.S.C. § 2251(a).

Hot-rolled floor plate in widths greater than 60 inches is normally imported under HTS number 7208.10.3000.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Hot-rolled floor plate in widths greater than 60 inches.

(c) The basis for requesting an exclusion;

Hot-rolled floor plate is produced by passing plate through two rollers, one of which is flat and one of which contains a pattern raised in relief. Because the pattern raised in relief varies from manufacturer to manufacturer within the floor plate industry, each manufacturer produces plate containing a unique pattern. Hot-rolled floor plate is primarily used in the manufacture of heavy equipment, utility trucks, trailers and industrial machine floor.

The use of hot-rolled floor plate in widths greater than 60 inches has been and is particularly crucial in the construction and fabrication of certain products. For example, hot-rolled floor plate in widths greater than 60 inches is used to manufacture dock levelers that are safer to use and less costly to manufacture. In addition, end-users of hot-rolled floor plate rely on specific manufacturers to provide consistently patterned floor plates.

As is attested to in Appendix A-1, there are no domestic producers of hot-rolled floor plate in widths greater than 60 inches. Any limitation of such floor plate from the U.S. market would force U.S. manufacturers to use more expensive smaller floor plates and alter the appearance of their products resulting in substantial cost increases for U.S. manufacturers of these products.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

There are currently no mills in the United States that produce hot-rolled floor plate in widths over 60 inches.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix A-1. Projected consumption for years 2001-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix A-1.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

There are no economically feasible substitutes for floor plate in widths greater than 60 inches.

(h) Parties supporting this request.

The parties supporting this request are provided in Appendix A-1.

(i) Contact Person.

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2. Hot-Rolled Floor Plate with a Thickness Greater than 4.75 Millimeters

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Hot-rolled floor plate with a thickness between 4.75 and 19.0 millimeters is normally imported under HTS number 7208.10.3000.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion i s not sought;

Hot-rolled floor plate with a thickness between 4.75 and 19.0 millimeters.

(c) The basis for requesting an exclusion;

There are no domestic producers of hot-rolled floor plate in widths greater than 12 millimeters. For widths between 4.75 millimeters and 12 millimeters, the United States industry cannot produce substantial quantities to meet domestic demand.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

Information is currently not available.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix A-2. Projected consumption for years 2001-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix A-2.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

Information is currently not available.

(h) Parties supporting this request.

Information not available.

(i) Contact Person.

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3. Hot-Rolled Pickled and Oiled Quality: A 606 T4 in Grades 70, 90, or 100

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Hot-rolled pickled and oiled quality A 606 T4 in grades 70, 90, or 100 is normally imported under HTS number 7225.30.7000.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

The hot-rolled products under this specification are primarily used as the raw material for coiled tubing essential for certain drilling techniques employed in offshore drilling applications. As such, these products must meet the strict surface quality, steel cleanliness, corrosion and fatigue resistance, and strength consistency standards established by this specialty market

(c) The basis for requesting an exclusion;

There are currently no domestic producers capable of making hot-rolled, pickled and oiled A 606 T4 in grades 70, 90, or 100 to the specifications required by the offshore drilling applications.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, there are currently no domestic producers capable of making hot-rolled, pickled and oiled A 606 T4 in grades 70, 90, or 100 to the specifications required by the offshore drilling applications.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix A-3. Projected consumption for years 2001-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix A-3.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

Information is currently not available.

(h) Parties supporting this request.

Information is currently not available.

(i) Contact Person.

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4. In-Line Temper-Passed and Tension-Leveled Hot-Rolled Pickled and Oiled Flat-Rolled Products of Iron and Non-Alloy Steel

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Temper-passed and tension-leveled pickled and oiled flat-rolled products are normally imported under HTS numbers 7208.26.0060 and 7208.26.0070.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

The hot-rolled products within this category must undergo in-line tension leveling and temper passing processes that are only possible through certain modifications in the production process through which the steel passes.

(c) The basis for requesting an exclusion;

There are currently no mills in the United States that produce pickled and oiled products undergo in-line temper passing and tension-leveling. As a result, the hot-rolled products produced by the U.S. industry possess inferior flatness and surface qualities, which are qualities crucial to painting applications or the production of certain components.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, there are currently no mills in the United States that produce pickled and oiled products undergo in-line temper passing and tension-leveling.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix A-4. Projected consumption for years 2001-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix A-4.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

Usinor, Arbed and Aceralia are not aware of any economically feasible U.S. produced substitute for in-line temper-passed and tension-leveled hot-rolled pickled and oiled flat rolled products of iron and non-alloy steel.

(h) Parties supporting this request.

Information is currently not available.

(i) Contact Person.

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5. High-Nickel Alloy Hot-Rolled Plate

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

High-nickel alloy hot-rolled plate is normally imported under HTS numbers 7226.91.5000, 7226.91.7000, and 7225.40.3005.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

High-nickel alloy hot-rolled plate alloy compositions are in accordance with ASTM F15, ASTM F30 or ASTM F1684. Each of these specifications cover grades considered controlled or low-expansion alloys that are chosen for use based upon their coefficients of thermal expansion. This hot-rolled plate contains at least 24 percent nickel with widths less than or greater than 600 millimeters and thicknesses less than or greater than 4.75 millimeters. These products are primarily used by the electronics industry for the production of hybrid circuit boxes and the telecommunications industry for the production of hermetic fiber optic packages.

(c) The basis for requesting an exclusion;

The only known U.S. producers of high-nickel alloy hot-rolled plate are Carpenter (ASTM F15, F1684 and F30), Precision Rolled Products (ASTM F15 with raw products from VDM in Germany), and Special Metals (ASTM F15, F1684 and F30). It is believed that these companies do not routinely stock this material in this form. When relatively limited orders were taken, they were direct mill orders requiring lead times as long as six months. The inability of the domestic industry to meet domestic demand was further exacerbated by the significant increase in demand by the U.S. telecommunications industry. Domestic consumers were forced to import the products to satisfy their demand. Accordingly, these product should be exempted to ensure continued access to essential materials, otherwise frequently not available in the domestic market.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, the only known U.S. producers of high-nickel alloy hot-rolled plate are Carpenter (ASTM F15, F1684 and F30), Precision Rolled Products (ASTM F15 with raw products from VDM in Germany), and Special Metals (ASTM F15, F1684 and F30). The only known foreign producers, other than the Usinor company Ugine Imphy, are the Germany companies VDM (for ASTM F15) and VDN (for ASTM 15 and 30).

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix A-5. Projected consumption for years 2001-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix A-5.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

There are no substitutes for the above-mentioned products with the following standard ASTM specifications: ASTM F15 for iron-nickel-cobalt alloy, ASTM F1684 for iron-nickel-cobalt alloys for low thermal expansion applications, or ASTM F30 for iron-nickel sealing alloys.

(h) Parties supporting this request.

Information is currently not available.

(i) Contact Person.

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B. Carbon and Alloy Cut-to-Length Plate

1. Creusabro 8000®

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Creusabro 8000® carbon/alloy cut-to-length plate is imported under HTS number 7225.40.3050.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Creusabro 8000® carbon/alloy cut-to-length plate developed by Usinor and used primarily by original equipment manufacturers and mines to produce wear part components. It is a cut-to-length plate between 4 and 63 millimeters thick, possessing a carbon content of 0.23 to 0.27 percent by weight, a manganese content of 1.00 to 1.50 percent by weight, a chromium content of 0.6 to 1.2 percent by weight, a sulfur content of 0.002 percent by weight and a phosphorous content of 0.015 percent by weight. Additionally, this product provides a tensile strength of 1,400 to 1,700 mpa, guaranteed impact properties of 40 J/cm^2 at – 20 degrees Celsius and a guaranteed hardness of 430 to 500 bhn.

(c) The basis for requesting an exclusion;

Usinor is the sole producer of this product and, therefore, does not compete with any domestic steel manufacturers.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

None.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix B-1. Projected consumption for years 2001-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix B-1.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute;

There are no substitutes for this product.

(h) Parties supporting this request.

Information is currently not available.

(i) Contact Person.

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2. Creusabro M™

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Creusabro M™ is imported under HTS number 7225.40.3050.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Creusabro M™ is a carbon/alloy cut-to-length plate primarily used in the production of wheel and axel housing components for railway trucks. Creusabro M™ carbon/alloy cut-to-length plate is a non-magnetic, fully austenitic structure offering a guaranteed hardness of 180 to 250 bhn and a tensile strength of 800 mpa. Its chemical composition consists of a carbon content of 1.1 to 1.2 percent by weight, a manganese content of 12.0 to 13.5 percent by weight, a maximum sulfur content of 0.010 percent by weight, a maximum phosphorous content of 0.030 percent by weight and a maximum silicon content of 0.010 percent by weight.

(c) The basis for requesting an exclusion;

Usinor is the sole producer of Creusabro M™ in thicknesses between 4 and 120 millimeters and in 96-inch wide Creusabro M™ carbon/alloy cut-to-length plate with thicknesses ranging from 4.75 to 6.35 millimeters.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

Information is currently not available.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix B-2. Projected consumption for years 2001-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix B-2.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

There is no substitute for this product.

(h) Parties supporting this request.

An affidavit supporting this exemption request is located at Appendix B-2.

(i) Contact Person.

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3. Astralloy V®™

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Astralloy V®™ is imported under HTS number 7225.40.3050.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Astralloy V®™ cut-to-length plate from 3 millimeters to 6 millimeters in thickness that provides increased wear resistance and is primarily used in mining production, but is also suitable for some applications in civil ballistic production. It is produced by authorization and for the exclusive needs of Astralloy/IMS (USA). Its chemical composition is 0.24 carbon, 0.925 manganese, 3.5 nickel, 1.5 chromium, 0.3 molybendum.

(c) The basis for requesting an exclusion;

Usinor is the sole producer of Astralloy V®™ carbon/alloy cut-to-length plate in thicknesses ranging from 3 to 6 millimeters.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

There is no U.S. production in this product in the above-mentioned thicknesses. Information on other foreign producers is not available.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix B-3. Projected consumption for years 2001-2005 is 2,000 to 3,000 tons per year.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix B-3.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

There are no direct substitutes for this proprietary and trademarked product.

(h) Parties supporting this request.

An affidavit supporting this exemption request is located at Appendix B-3.

(i) Contact Person.

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4. Nine-Percent Nickel Alloy Steel Plate

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Nine-percent nickel alloy steel plate grades ASTM/ASME A353 and A553 are imported under HTS numbers 7224.40.3050 and 7224.40.3020.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Nine-percent nickel alloy steel plate is heavy steel plate of thickness 0.1875 inches and greater, quenched and tempered primarily used to product products that require extremely high-strength characteristics, namely high-impact values at -196 degrees Celsius. These plates are used in the construction of mid- and large-sized tanks for the storage of cryogenic products.

(c) The basis for requesting an exclusion;

As is attested to in the affidavit provided in Appendix B-4, there are no U.S. mills that produce nine-percent nickel alloy steel in the sizes necessary to satisfy a substantial portion of the market's demand — *i.e.*, widths greater than 136 inches and thicknesses less than 0.339 inches when the plate is greater than 96 inches in width. Additionally, there are no U.S. mills that produce nine-percent nickel alloy steel in conformity with the European standards and codes, which poses a limitation on the end-users ability to export their finished products to the European market. As a result, any limitation on the import of Usinor's nine-percent nickel alloy steel plate will have substantial adverse effects on the international competitiveness of domestic end-users and may cause U.S. producers of tanks to shift their production to offshore locations.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, there are no domestic producers that can produce nine-percent nickel alloy steel in the sizes discussed above. Usinor does not have information regarding other foreign producers at this time.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix B-4. Projected consumption for years 2001-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix B-4.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

Usinor is not aware of any substitute for the above-mentioned nine-percent nickel alloy steel.

(h) Parties supporting this request.

An affidavit supporting this exemption request in located in Appendix B-4.

(i) Contact Person.

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5. Clad Plate

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Clad Plate is imported under HTS numbers 7210.90.1000 and 7225.99.0090.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Clad plate has a carbon or low-alloy steel base that is bonded to stainless steel or nickel-based alloy cladding and is limited to applications that require durable corrosion-resistant properties and resistance to extremely harsh physical conditions (such as heat and pressure).

(c) The basis for requesting an exclusion;

Only one domestic mill, Bethlehem-Lukens Steel, produces roll-bonded clad plate and there are very few producers in the world that have the capability to produce this product. The Japanese producers of clad plate are already subject to antidumping orders and have been virtually excluded from the U.S. market.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

Bethlehem-Lukens is the only producer of clad plate in the United States. Information on foreign producers other than Japan is not available at this time.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix B-5. Projected consumption for years 2001-2005 is not available.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Information is currently not available.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

The nearest substitute for clad plate is stainless steel plate. Production information is not available at this time.

(h) Parties supporting this request.

An affidavit supporting this exemption request is located in Appendix B-5.

(i) Contact Person.

For any questions regarding this request, please contact:

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6. Marshalloy MQ

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Marshalloy MQ is imported under HTS number 7225.40.3050

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Marshalloy Mold Quality 4142 plate in thickness range 6mm to 229 mm. This product possesses the following chemical composition. (Numbers reflect percent by weight)

C	Mn	Si	S	P	Ni	Cr	Mo	Cu	O2	H2
0.36-0.42	1.10-1.30	0.35-0.45	0.012 – 0.20	0.030 max.	0.25–0.50	1.00-1.20	0.15-0.35	0.30 max.	20 ppm	2 ppm

(c) The basis for requesting an exclusion;

Usinor is the sole producer and supplier of this product.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

There are no other companies producing Marshalloy MQ.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix B-5. Projected consumption for years 2001-2005 is not available.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Estimated quantities of U.S. producers' U.S. commercial shipments of the product for each year from 1996-2000 are provided in Appendix C-6.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

The nearest substitute for clad plate is stainless steel plate. Production information is not available at this time.

(h) Parties supporting this request.

Information is currently not available.

(i) Contact Person.

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7. Superplast SP 300

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Superplast SP 300 is imported under HTS number 7225.40.3050.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Plastic mold steel plates, pre-forged and rolled blocks and forged extra-heavy section blocks with thickness greater than 150mm. This product contains the following chemical composition: (numbers represent percent by weight)

C	Cr	Mn	Ni	Mo	Si
0.25	1.3	1.3	<0.3	0.4	<0.15

(c) The basis for requesting an exclusion;

Usinor is the sole producer and supplier of this product.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

There are no other companies producing Superplast SP 300.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is currently unavailable. Projected consumption for years 2001-2005 is not available.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

Information is currently not available.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

The nearest substitute for clad plate is stainless steel plate. Production information is not available at this time.

(h) Parties supporting this request.

Information is currently not available.

(i) Contact Person.

For any questions regarding this request, please contact:

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C. Cold-Rolled Products

8. High-Nickel Alloy Cold-Rolled Plate

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Flat rolled products of high nickel alloy steel - not further worked than cold rolled. Alloy compositions are according to ASTM F15, ASTM F30, ASTM B753, and ASTM F1684, for controlled expansion alloys. Alloys are according to ASTM B753 or ASTM A801 for magnetic alloys. All of these alloys contain at least 14 percent nickel or 25 percent cobalt with or without other elements. High-nickel cold-rolled plate is imported under HTS numbers 7226.92.7005, 7226.92.8005, 7226.92.8050, 7226.92.50000, and 7225.50.8010.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

High-nickel alloy cold-rolled plate contains at least 14 percent nickel or 25 percent cobalt with or without other elements. Widths may be either less than or greater than 600 millimeters and thicknesses may be either less than or greater than 4.75 millimeters. This steel is used specifically for applications where controlled thermal expansion or magnetic properties are requires, such as electronics, video displays, and telecommunications.

(c) The basis for requesting an exclusion;

These cold-rolled sheet and strip products are imported in limited quantities and are produced in only two locations in France. Based upon the best available information, it does not appear that any domestic manufacturers are approved and qualified to produce most of these products. Due to the stringent requirements of these cold-rolled products, customers must pre-qualify and approve potential suppliers, which is a lengthy and complicated process. Neither Carpenter Technology nor Allegheny Ludlum has been approved for products such as shadow masks or thermal compensation systems. If these cold-rolled products are restricted through quotas or subjected to high tariffs, they will become uneconomical to domestic consumers, which would result in a potential significant loss of U.S. jobs and the likely exit of certain companies from the U.S. market.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

There are three companies that are able to produce these cold-rolled products: (1) Carpenter (standard specifications ASTM F15, ASTM F30, ASTM B753, ASTM F 1684, ASTM A801 — a specification with only three world-wide producers —and ASTM A753), (2) Allegheny-Ludlum (standard specifications ASTM F30, limited grades within ASTM B753 and ASTM A753) and (3) Ametek (standard specification ASTM A753). The foreign producers capable of producing these products are: Japanese producers Hitachi and Sumitomo Metals (ASTM F15, ASTM F30, and ASTM F1684 — Hitachi only); German producer VDM (ASTM F30, ASTM B753, ASTM F1684), German producer VDN (ASTM F30 and ASTM B753) and German producer Vacuumshmeltz (ASTM A801). It should be noted that the German producers also produce ASTM A753, but with alloys containing more than 75 percent nickel, which is not a part of the instant investigation.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix C-1. Projected consumption for years 2001-2005 is unavailable at this time.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

As mentioned, based upon the best available information, it does not appear that there are any qualified domestic manufacturers of these cold-rolled products.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

There does not appear to be any substitutes for this product.

(h) Parties supporting this request.

Information regarding parties supporting this request is provided in Appendix C-1.

(i) Contact Person.

For any questions regarding this request, please contact:

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9. Cold-Rolled Flat-Rolled Products of Iron and Non-Alloy Steel in High Carbon Qualities and Widths Greater than 36 Inches

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Cold-rolled flat rolled products of iron and non-alloy steel in high carbon qualities and widths greater than 36 inches are imported under HTS numbers 7209.16.0030, 7209.16.0060, 7209.17.0030, 7209.17.0060, 7209.18.1530, 7209.18.1560.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Cold-rolled flat-rolled products of iron and non-alloy steel in high-carbon qualities and in widths over 36 inches.

(c) The basis for requesting an exclusion;

No domestic producer offers cold-rolled flat-rolled products of iron and non-alloy steel in high-carbon qualities and in widths over 36 inches.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, no domestic producer offers cold-rolled flat-rolled products of iron and non-alloy steel in high-carbon qualities and in widths over 36 inches. Information regarding additional foreign producers of this product is unavailable.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix C-2. Projected consumption for years 2001-2005 is not available at this time.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

As mentioned, no domestic producer offers cold-rolled flat-rolled products of iron and non-alloy steel in high-carbon qualities and in widths over 36 inches.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

According to the best information available, there are no substitutes for this product.

(h) Parties supporting this request.

Information regarding parties supporting this request is provided in Appendix C-2.

(i) Contact Person.

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C. Tin Mill Products

1. Light-Gauge Double-Reduced and Single-Reduced Electrolytic Tin Plate or Black Plate in 55 Pound Base Box and Below

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Light-gauge double-reduced and single-reduced electrolytic tin plate or black plate in 55 pound base box and below is made to ASTM A623 type MR specifications and is imported under HTS numbers 7210.12.0000 and 7210.50.0000.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

This product is double-reduced electrolytically coated steel with tin and/or chromium with a thickness of 55 pounds or less per base box. These are extremely thin tin products manufactured through reduction on a temper mill following cold-rolling and are primarily used in the production of three-piece can bodies or DRD cans.

(c) The basis for requesting an exclusion;

As attested in the affidavit provided in Appendix D-1, there are no U.S. mills that produce tinmill products of comparable gauges.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, there are no U.S. mills that produce tinmill products of comparable gauges.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000, *see* Appendix D-1. Projected consumption for year 2001 is 10,000 short tons. Projected consumption for 2002-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

As mentioned, there are no U.S. mills that produce tinmill products of comparable gauges. There are some producers in Japan and Europe capable of producing these products.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

We are unaware of any U.S.-produced substitute for this product.

(h) Parties supporting this request.

Information regarding parties who support this request is provided in Appendix D-1.

(i) Contact Person.

For any questions regarding this request, please contact:

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2. Electrolytic Tin Plate or Black Plate in Widths Larger than 38.0 Inches

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Electrolytic tin plate or black plate in widths larger than 38.0 inches is imported under HTS numbers 7210.12.0000 and 7210.50.0000.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

All tinmill products with widths equal to or greater than 38 inches.

(c) The basis for requesting an exclusion;

U.S. producers are not capable of manufacturing this product in the grades necessary to satisfy domestic demand beyond a maximum width of 36.5 inches.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, U.S. producers are not capable of manufacturing this product in the grades necessary to satisfy domestic demand beyond a maximum width of 36.5 inches. There are some producers in Japan and Europe capable of producing these products.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix D-2. Projected consumption for 2001 is estimated to be 150,000 short tons. Consumption for 2002-2005 is currently unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

As mentioned, U.S. producers are not capable of manufacturing this product in the grades necessary to satisfy domestic demand beyond a maximum width of 36.5 inches.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

We are unaware of any substitutes available for this product.

(h) Parties supporting this request.

Information not available.

(i) Contact Person.

For any questions regarding this request, please contact:

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3. Tinplate DWI for Two Piece Cans

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Single-reduced tinplate in widths ranging from 750 millimeters to 1,230 millimeters and the following thicknesses:

- 0.251 millimeters (90 pound base box)
- 0.260 millimeters
- 0.267 millimeters (95 pound base box)
- 0.275 millimeters (97 pound base box)
- 0.279 millimeters (100 pound base box)

is imported under the HTS numbers 7210.12.0000 and 7210.50.0000.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

These products possess type MR or higher chemical compositions and are continuously annealed with yield strengths between 295 mpa and 380 mpa and a tensile strength between 370 mpa and 455 mpa. These products have a minimum elongation of 20 percent and R-bar from 1.0 mini and Delta-R+/-0.30 with a shot blast finish roughness between 0.80 and 1.20 micrometers.

(c) The basis for requesting an exclusion;

Due to the stringent requirements placed on this product, it is necessary for U.S. end-users to pre-quality potential suppliers. Currently, there are no domestic producers that have been qualified. Therefore, Usinor does not compete with any domestic manufacturer.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, currently, there are no domestic producers that have been qualified. There are some producers in Japan and Europe capable of producing these products.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix D-3. Projected consumption for 2001 is estimated to be 400,000 short tons. Consumption data for the years 2002-2005 is unavailable.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

As mentioned, currently, there are no domestic producers that have been qualified to produce this product..

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

We are not currently aware of any substitutes for this product.

(h) Parties supporting this request.

Information not available.

(i) Contact Person.

For any questions regarding this request, please contact:

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4. Tin Mill Products for Easy-Open Ends and Drawn, Redrawn Two-Piece Can Bodies

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Tinmill products for easy-open ends and drawn, redrawn two-piece can bodies are imported under HTS numbers 7210.12.0000 and 7210.50.0000 and have ASTM specification A623 type MR or higher.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

These products consist of steel coated with tin and/or chromium with a thickness below 0.50 mm, yield strengths between 420 mpa and 750 mpa, and minimum elongation between 4 and 22 percent.

(c) The basis for requesting an exclusion;

Usinor is the sole manufacturer of this product in these grades and, therefore, does not compete with any domestic mills. Each of the grades specified provides end-users with specific cost advantages. Restricting or removing these products from the U.S. market will impose significant harm on domestic consumers of these products.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, there are no U.S. producers capable of producing this product in these grades. We understand there may be some European or Japanese producers that may have the ability to produce these products.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix D-4. Projected consumption for 2001 is 150,000 short tons. While consumption is expected to grow rapidly between 2002 and 2005, estimates of consumption tonnage for those years are not available.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

As mentioned, there are no U.S. producers capable of producing this product in these grades.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

Usinor is not aware of any U.S. produced substitutes for this product.

(h) Parties supporting this request.

Information is currently not available.

(i) Contact Person.

For any questions regarding this request, please contact:

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5. Organic Coated Tinmill Products

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Organic coated tinmill products are imported under HTS numbers 7210.12.0000 and 7210.50.0000.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Organic coated tinmill products are electrolytic coated steel with tin and/or chromium with a thickness below 0.50 millimeters and coated with organic coating.

(c) The basis for requesting an exclusion;

There are no U.S. producers of this product.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, there are currently no U.S. producers of this product. European producers Corus and Rasselstein have the ability to produce this product.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

The total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix D-5. Projected consumption for years 2001-2005 is not available.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

As mentioned, there are currently no U.S. producers of this product.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

Usinor is not aware of any U.S. produced substitutes for this product.

(h) Parties supporting this request.

Information is currently not available.

(i) Contact Person.

For any questions regarding this request, please contact:

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6. Electrogalvinized and Lacquered Strips for Tabstock

(a) The designation of the product under a recognized standard or certification (e.g., ASTM, DIN), or the commercial name for the product and the HTS number under which this product enters the United States;

Electrogalvinized and lacquered strips for tabstock are imported under HTS numbers 7210.12.0000 and 7210.50.0000 and have ASTM specification A623 type MR.

(b) A description of the product based on physical characteristics (e.g, chemical composition, metallurgical properties, dimensions, surface quality) so as to distinguish the product from products for which exclusion is not sought;

Tinplate and chromium plated coil with a thickness below 0.5 millimeters and a maximum width of 120 millimeters laquered or varnished. There is no specific chemical requirements other than those specified in ASTM A623 type MR. This product is used for the production of easy-open can ends and is not produced by any domestic mills.

(c) The basis for requesting an exclusion;

As mentioned, this product is used for the production of easy-open can ends and is not produced by any domestic mills.

(d) The names and locations of any producers, in the United States and foreign countries, of the product;

As mentioned, this product is not produced by any domestic mills. Usinor does not have information regarding other foreign producers of this product.

(e) Total U.S. consumption of the product, if any, by quantity and value for each year, from 1996-2000, and projected annual consumption for each year from 2001-2005, with an explanation of the basis for the projection;

Total U.S. consumption by quantity and value for each year from 1996-2000 is provided in Appendix Projected consumption for years 2001-2005 is not available.

(f) Total U.S. production of the Product for each year from 1996-2000, if any;

As mentioned, this product is not produced by any domestic mills.

(g) The identity of any U.S. produced substitute for the product, total U.S. production of the substitute for each year from 1996 to 2000, and the names of any U.S. producers of the substitute.

Usinor is not aware of any U.S. produced substitutes for this product.

(h) Parties supporting this request.

Information is not available at this time.

(i) Contact Person.

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III. CONCLUSION

The products listed above are essential to the welfare of a substantial number of domestic steel processors. The domestic industry is incapable of either producing these products or meeting domestic demand. It is clear, therefore, that imports of these products do not compete with domestic products. Thus, any remedial measures imposed on these products cannot address the underlying causes of the domestic industry's current injury and cannot facilitate a positive adjustment to import competition. The Committee, therefore, should exempt these products from its remedy recommendation.

Respectfully submitted,

_____

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November 13, 2001